

**Record of Proceedings  
Village of Peninsula Council  
REGULAR SESSION**

Held: March 11, 2019

**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 10:44 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the roll call, followed by the Pledge of Allegiance. The following members were present.

**COUNCILMEMBERS:**

Michael Matusz	PRESENT	Mayor Douglas Mayer	PRESENT
Mary Booth	ABSENT	Chris Weigand	PRESENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT
Diane Holody	PRESENT		

**OTHERS PRESENT:** Fiscal Officer Deborah Wordell and Solicitor Brad Bryan

**CITIZENS PARTICIPATION:**

Richard Slocum of 1563 E. Mill Street stated he hopes the Village and Boston Township can work together for a fiscally responsible approach to combining the road departments in order to save money, resources, and equipment costs.

Mike Maroz of Major Rd stated he attended the scheduled Special Meeting on February 19, 2019 that wasn't a meeting because of lack of a quorum. He stated during the discussion that took place that evening, he heard the word liar used numerous times. It is his opinion that Council should have stopped the meeting. It was uncalled for, out of place, very unprofessional, and unfair for those in attendance and not in attendance.

Boston Township Trustee Amy Anderson stated it has been a month and a half since the fire at the Village Service Department. She would like to have some dialogue with the Village about combining services. The Township and Village have duplicate equipment, and now is the perfect time to sit down and discuss the possibilities. She has spoken to Mike Matusz and Danny Schneider in the past about combining services. The day of the fire she spoke with Mayor Mayer about the possibilities. She would like to see this go forward. Also, she noticed the Road Maintenance Mutual Aid Agreement with Boston Township is on the agenda this evening. That Agreement includes everything, not just snow plowing and ice removal. That Agreement could be the first step in moving forward.

Bill Roemer, State Representative, House District 38, addressed Council. Mr. Roemer stated he is working with the Mayor to get small tools and equipment from ODOT District 4 to help until the Service Department is fully operational. He has received a lot of questions about the proposed gas tax increase. If the gas tax increase is passed, the local governments would get an additional 5% in revenue. What has been proposed is a 7 cent increase the first year, starting October 1, 2019, and an additional 3.7 cent increase the following year. Mayor Mayer asked how the tax money is distributed. Mr. Roemer responded that Townships and Counties receive a flat amount. He does not know the distribution formula for Villages, but he will get that answer for the Mayor.

**COUNCIL PARTICIPATION:**

Mr. Schneider stated he wanted to clarify that he contacted Administrative Assistant Kuboff to advise him he was unable to attend the Special Council Meeting that was to be held February 19, 2019 because it was the first day of High School Softball.

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**MAYOR'S REPORT:**

Mayor Mayer reported Richard Studenic of Wichert Insurance was in the audience to answer questions about the insurance claim. At the last Council meeting, it was decided the Village has three options to move forward: 1. Work with Boston Township; 2. Relocate the building; or 3. Remain at the present location and rebuild. He stated the Village is going to look at the feasibility of working with Boston Township first. The Village received payment for the value of the building and contents, and he will let Mr. Studenic explain.

Mr. Studenic stated the building was valued at approximately \$232,000 with a hold back amount of \$13,153.14. A check was issued for \$218,884.69. The contents were valued at \$190,000 with a hold back amount of \$66,000. A check was issued in the amount of \$124,000. There was no deductible.

Mayor Mayer asked if the Village were to do a joint venture with Boston Township or another community, would the Village forfeit the hold back if it didn't rebuild. The response from Mr. Studenic was yes. Mayor Mayer then asked about the contents. Mr. Studenic responded the Village was issued a check for \$124,000, and when the Village starts replacing personal items, it can be reimbursed up to the \$66,000 hold back amount. Mr. Kaplan stated that this is all negotiable, and we should act accordingly. A discussion took place about what is replacement value and how the Village can obtain replacement costs. Mayor Mayer stated he would like Council to form a committee to see what the best approach would be: combine with another community; relocate the building; or rebuild at the same location. A discussion took place as to what community would best serve the Village: 1. Boston Township; or 2. Boston Heights; and how best to utilize equipment, employees, and buildings. Should the Village have a road department agreement like the police agreement with the Township? Mr. Kaplan suggested the Village should have a committee to deal with the insurance issues and a committee to investigate the feasibility with Boston Township. Ms. Holody stated there already is a committee working with Boston Township. The committee is Mr. Schneider, Mr. Matusz, and herself. It was determined that Mr. Kaplan and Mr. Bryan will work on the insurance issues.

Mayor Mayer stated a mutual agreement with Boston Heights has been proposed where Boston Heights plows snow and the Village mows grass around the Girl Scout Camp. Mr. Bryan was asked to make sure that proposed Agreement is in order.

**SOLICITOR'S REPORT:**

Mr. Bryan reported on the proposed Road Maintenance Mutual Agreement with Boston Township. Mr. Bryan stated Mr. Kaplan asked to have a second version prepared stating that direction from the Village should be given by the Street Commissioner rather than the Street Commissioner or the Service Department Supervisor. A discussion then took place as to why there has not been a Street Commissioner appointment.

A motion was made by Mr. Kaplan to authorize entering into Version 2 of the Road Maintenance Mutual Aid Agreement with Boston Township that was seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Bryan reported inquiries have been made to RITA and the Village requesting the refund or abatement of taxes paid or determined to be owed to the Village. If those issues are not resolved by RITA to the satisfaction of the taxpayers, the taxpayers have the right, pursuant to Chapter 181 of Village's Codified Ordinances, to appeal the Tax Administrator's decision to

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the Village Board of Tax Review. The Fiscal Officer has inquired about the status of Village Board of Tax Review. That the Board is not currently in place. It is necessary to make appointments to activate the Board in accordance with Section 181.21 of the Village's Codified Ordinances. It was suggested that an ad be placed in Your Community News requesting volunteers to serve on the Tax Board.

Mr. Bryan reported on the Army Corps of Engineers directive. Mr. Bryan stated that he and the committee, consisting of Mr. Kaplan, Ms. Holody, and Mr. Schneider, met with Tina Stonemetz, the local Army Corps enforcement officer, at the location of the infraction. The Village has been granted an extension until April 1. Mr. Schneider is in the process of getting bids for the removal of the debris. The Committee has met with an engineering firm that would assist the Village with exploring and achieving a global resolution to issues. The Village received a proposal from McCabe Engineering in an amount not to exceed \$8,500. Mr. McCabe has proposed to discount his hourly rate from \$175 to \$100 for this project. Mr. Kaplan stated he has some concerns about where we are going with this project that we can't afford. He stated Mr. McCabe advised this project could cost \$400,000. The other choice is to undo what we have done, and it would cost the Village a lot less. But that solution would only be temporary. Where will the money come from? Ms. Holody stated we do have a violation. There is a goal to get the concrete with the rebar out of the river before the June 19, 2019 river event. There are two pieces of concrete that are 20'x10' that need to be removed. She believes the Village needs an engineer at the table. Mr. Kaplan stated if we go forward with this proposal, let's keep them on a short leash so we can watch and control the costs before it gets out of hand.

A motion was made by Mr. Kaplan for the Village to accept the proposal submitted by McCabe Engineering dated March 7, 2019 in an amount not to exceed \$8,500. The motion was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

**LEGISLATION:**

**Third Reading:**

**Ordinance No. 02-2019**

Requested by Mayor Mayer and Chief Varga

**An Ordinance Amending Section 147.03 of the Codified Ordinances Relating to Holidays for Full-Time Employees**

The Ordinance was read by title by the Solicitor. A motion was made by Mr. Schneider to adopt the Ordinance that was seconded by Mr. Weigand. Ms. Holody stated the cost to the Village would be minimal because the full-time employees would be replaced by part-time officers at a lower dollar cost on the days in question.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Ordinance was adopted.

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**Second Reading:**

**Ordinance No. 03-2019**

Requested by Fiscal Officer Deborah Wordell

**An Ordinance Repealing and Replacing Section 147.10 of the Codified Ordinances  
Relating to the Use of Village Credit Cards**

The Ordinance was read by title by the Solicitor. A motion was made by Mr. Kaplan to suspend the three-reading rule that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

A discussion took place on how many credit cards the Village has. The Fiscal Officer stated there is a Lowes card with a \$6,000 line of credit and the Voyager Fleet Cards assigned to each vehicle with a \$200 limit per day for gas only.

A motion was made by Mr. Schneider to pass Ordinance No. 03-2019 that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Ordinance was adopted.

**Ordinance No. 04-2019**

Requested by Councilperson Schneider and Councilperson Holody

**A Resolution Reappointing Bradric T. Bryan of Goodwin & Bryan, LLP as the Village  
Solicitor and Prosecutor for a Term Commencing on April 1, 2019 and Ending on March  
31, 2020**

The Ordinance was read by title by the Solicitor. The Ordinance will advance to a third reading at the next Regular Council Meeting.

**Resolution No. 05-2019**

Requested by Councilperson Holody and Fiscal Officer Deborah Wordell

**A Resolution Establishing the Annual Operating Budget and Setting forth the  
Appropriations for 2019**

The Resolution was read by title by the Solicitor. Mr. Bryan reminded Council the budget resolution needs to be passed and submitted to the County Fiscal Officer by the end of March. Ms. Holody made a motion to hold Special Council Meeting on March 18, 2019 at 6:00 p.m. to discuss the Budget and Resolution No 05-2019. The motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

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**Resolution No. 06-2019**

Requested by Fiscal Officer Deborah Wordell

**A Resolution Amending the 2019 Temporary Appropriation Resolution**

The Resolution was read by title by the Solicitor. It was determined that this Resolution is no longer necessary at this time.

**Resolution No. 07-2019**

Requested by Mayor Mayer and Fiscal Officer Deborah Wordell

**A Resolution Authorizing the Purchase of a 2019 Ford F-750 from Lebanon Ford, Inc.**

The Resolution was read by title by the Solicitor. It was determined that this Resolution may no longer be necessary. If it is necessary, it will advance to a third reading at the next Regular Council Meeting.

**First Reading:**

**Resolution No. 08-2019**

Requested by Councilperson Matusz and Councilperson Schneider

**A Resolution Amending the Employee Pay Scale**

A motion was made by Mr. Schneider to suspend the three-reading rule that was seconded by Ms. Holody.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

A motion was made by Mr. Matusz to pass the Resolution that was seconded by Mr. Kaplan. It was clarified that the probationary period for the position is still 90 days. Only the pay rate has changed.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

**Resolution No. 09-2019**

Requested by Councilperson Kaplan

**A Resolution Requiring that Prior to Entering into any Contract for Designing, Constructing, or Operating a Village Centralized Wastewater System, Council Seek and Receive Approval from the Village Electorate to Move Forward with the Wastewater Project**

The Resolution was read by title by the Solicitor. The Resolution will advance to a second reading at the next Regular Council Meeting.

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**Resolution No. 10-2019**

Requested by Councilperson Kaplan

**A Resolution Authorizing and Establishing a New Fund Known as The Service Department Replacement Fund within The Financial Records of the Village.**

A motion was made by Mr. Kaplan to add Resolution No 10-2019 to the Agenda that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

A motion was made by Mr. Kaplan to suspend the three-reading rule that was seconded by Ms. Holody.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

A motion was made by Ms. Holody to pass the Resolution that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

**FISCAL OFFICER'S REPORT:**

Ms. Wordell Inquired if Council wanted to continue support services with Frey and Company for the utility billing software. There is an invoice for \$510 for annual support to the CUBIC Program for Wastewater Billing. Council recommended that the account be fully reconciled since the refunds have been issued, and if that has been done and we are in balance, there is no need to make the payment.

**Approval of the Minutes for the February 5, 2019 Special Council Meeting and February 11, 2019 Regular Council Meeting.**

Ms. Holody made a motion to approve the minutes for the February 5, 2019 Special Council Meeting that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, abstain; Mr. Schneider, yes. The February 5, 2019 Special Council Meeting minutes are approved.

Ms. Holody made a motion to approve the February 11, 2019 Regular Council Meeting Minutes that was seconded by Mr. Schneider. Ms. Holody requested the following changes: page 3 insert, see attachment Dee Holody notes; after meeting held January 25, page 6, a clarification, Mayor is in the process of reviewing plans; second line remove should; line 4, change to read Peninsula Foundation had a question; page 7, first paragraph, line 4, period after repair and remove and was; and insert Village sandstone and granite moved from Terry Lumber for storage at Village Maintenance Yard. Ms. Holody made a motion to amend the February 11, 2019 Regular Council Meeting Minutes as requested above that was seconded by Mr. Weigand.

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Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, abstain; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Kaplan requested changes to the February 11, 2019 minutes as follows: page 7, spelling of Rhonda Russel, correct spelling Ronda Russel; page 4, paragraph 2, should read Mr. Kaplan stated that Council will receive in the future a list of bills knowing that the Finance Committee has already reviewed them. Mr. Kaplan made a motion to amend the February 11, 2019 Regular Council Meeting Minutes as requested that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Weigand made a motion to approve the February 11, 2019 Regular Council Meeting Minutes as amended that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The February 11, 2019 minutes were approved as amended.

**Consideration of the Minutes for the May 22, 2018; June 16, 2018; June 23, 2019; June 23, 2018; and July 9, 2018 Meetings**

Ms. Holody made a motion to approve the June 16, 2018 Special Council Meeting Minutes that was seconded by Mr. Kaplan. Mr. Kaplan requested changes on page 5, change Village Resident to Amy Frank-Hensley. Ms. Holody requested the following changes: on page 1 to add see attachment after she outlined the four options; page 1, correct MPDES to NPDES; page 2 change The payment for Engineering Design should come from the General Fund to The payment for Engineering Design could come from the General Fund; page 2, Ms. Holody stated, on June 8, I spoke with Dean Stoll change to Ms. Holody indicated that on June 8<sup>th</sup> she spoke with Dean Stoll; #3 Ms. Holody stated, on June 8<sup>th</sup>, I spoke to Mike Weant change to Ms. Holody stated on June 8<sup>th</sup> at her request that the Village Solicitor speak to Mike Weant about turning over the Project to Summit County; start new paragraph with The advantage of Summit County proceeding with this project; insert bullet points on list of statements after if Summit County took over project; third line down change to Summit County will absorb all the cost of the design engineering and reimburse the Village for what has been paid to Stantec for design engineering; page 4, He stated no water is more of a problem, change to He stated not having water is more of a problem; page 5 Bill Clifton line change MPDES to NPDES; and He stated he could be compliant for his home, change to He stated it could be compliant for is home. Ms. Holody made a motion to amend the June 16, 2018 Special Council Meeting Minutes as requested that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, abstain; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes.

Mr. Weigand made a motion to approve the June 16, 2018 Special Council Meeting Minutes as amended that was seconded by Ms. Holody.

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Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The June 16, 2018 Special Council Meeting Minutes were approved as amended.

A motion was made by Mr. Kaplan to adopt the June 23, 2018 Special Council Meeting Minutes as written that was seconded by Ms. Holody.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The June 23, 2018 Special Council Meeting Minutes were approved.

A motion was made by Mr. Kaplan to adopt the June 30, 2018 Special Council Meeting Minutes as written that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The June 30, 2018 Special Council Meeting Minutes were approved.

A motion was made by Mr. Kaplan to adopt the July 9, 2018 Regular Council Meeting Minutes as written that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The July 9, 2018 Regular Council Meeting Minutes were approved.

**May 22, 2018 Minutes Transcription Quotes**

Mizanin Reporting Service \$582 to \$780

Mehler & Hagestrom Court Reporters \$1,000 to \$1,500

Stacey Task, Clerk of Council of Reminderville \$485

Mr. Kaplan stated he is aware of the work performed by Mizanin Reporting service and the second company. A motion was made by Mr. Weigand to hire Stacey Task, Clerk of Council of Reminderville to transcribe the Special Council Meeting of May 22, 2018 for an amount not to exceed \$485 that was seconded by Ms. Holody. A question was asked whether Ms. Task has a time line for completing the project. The Fiscal Officer stated they would be completed by the next Council Meeting.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, abstain; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

**FINANCE LIAISON, MS. HOLODY:** Ms. Holody made a motion to acknowledge receipt of the February 2019 Financial Reports that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Ms. Holody made a motion to ratify the list of Payment of Bills that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.



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**POLICE LIAISON, MR. SCHNEIDER:** Police Chief Varga requested that Police Vehicle 5 be repaired as result of an accident. The insurance claim has been paid in the amount of \$1,150.35.

Mr. Schneider made a motion to have Police Vehicle #5 be repaired at Klaben Ford for \$1,150.35 that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Schneider reported the Village Service Vehicle hit Police Vehicle #4 while plowing snow at Village Hall, and the damage to the Police Vehicle was \$1,610.88.

Mr. Schneider made a motion to have Police Vehicle #4 be repaired at Klaben Ford for \$1,610.88 that was seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Mayor Mayer read a letter of appreciation from Lt. Packard of the Valley Fire District to the Peninsula Police Department for its assistance on March 5 for a multiple vehicle accident on State Route 8. A motion was made by Mr. Matusz for the Village to issue proclamations to Police Chief Varga, Detective Westfall, and Officer Watson for their dedication and service to the public and the surrounding communities for their assistance on March 5 at the multiple vehicle accident on State Route 8. That motion was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

**ROADS AND PUBLIC WORKS LIAISON, MR. MATUSZ:** Mr. Matusz reported the crew will start cold patching, and the Service Department employees are aware of the procedures for purchase requests.

A discussion took place about Bishop Lane. Mr. Matusz stated there is a need to address Bishop Lane with additional stone. Mr. Kaplan stated Bishop Lane is a Village Road, and asked whether the Village is required to maintain it at state standards. He asked whether the Village would be liable if someone got injured because road was not properly maintained? He stated Council should decide what the long-range plan is going to be for Bishop Lane. Mr. Kaplan stated the Village should maintain it to a certain standard or vacate it. He stated the Village took a driveway and made it a roadway by putting a lot of materials down.

A motion was made by Mr. Matusz purchase stone for Bishop Lane in an amount not to exceed \$1,500 that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, abstain; Ms. Holody, abstain; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

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It was pointed out that the Historic Signs by the G.A.R. Hall and the Train Station need secured.

**PLANNING COMMISSION, MR WEIGAND:** Mr. Weigand reported the Planning Commission held a Special Meeting on February 25 at 5:00 p.m. to interview two traffic engineering consultants, Michael Schweickart of TMS Engineers and Robert Parker of Hull & Associates Inc. Each engineer was well qualified and brought interesting, relevant approaches to traffic engineering services that may be tailored to our community's specific needs. The Planning Commission will review the matter and decide upon the next steps. At the Regular Planning Commission Meeting on February 25, the Commission discussed at length the property located at 5978 Canal Street. The property owner was present at the meeting. The Commission received a report from Tony Catalano from the Stow Building Department on the condition of the property and the property owner's failure to repair or move forward with demolition of the property. With respect to that property, the Commission also discussed the questions of historical significance review, feasibility of alternatives to demolition, and danger to public health. After a significant amount of discussion, the property owner was given 30 days to demolish the property. After that time, the Village would demolish the house on the property at the owner's expense. The owner was ordered to cover the open well and cistern on the property within 24 hours. The next Planning Commission Meeting is March 25, 2019 at 7:00 p.m. in the Village Hall.

Mr. Weigand reported the Long Range Plan meeting was held on March 4. The Commission has completed a full draft version of the updated Long Range Plan. The draft of the Plan is posted on the Village website. There will be a meeting on April 1 at the G.A.R. Hall beginning at 7:00 p.m. to review the draft of the Long Range Plan. A special invitation will be sent to all residents regarding the April 1 meeting. This meeting will provide a good opportunity for the public to provide additional feedback to the Planning Commission regarding the draft of the Long Range Plan. Additional meetings and or presentations will be held during the month of April. As always, anyone with any questions or comments is welcome to attend a Planning Commission meeting or contact any member of the Commission. Thank You to everyone who has worked tirelessly on this important project.

**WASTEWATER:** Mayor Mayer reported the requirements were changed for the Summit County Household Sewage Treatment System Matching Forgivable Loan Program for 2019. The information was mailed out to Village property owners in February.

**ZONING:** Mayor Mayer reported the Winking Lizard Restaurant was putting on a deck. He checked the zoning book and found nothing that would prohibit it. The Mayor has contacted Tony Catalano of the Stow Building Department to make sure the building plans are sufficient. The Peninsula Library has submitted plans for a remodel project.

**BOARD OF ZONING APPEALS:** Mayor Mayer reported no meeting took place last month. There is still an opening on the Board.

**BUILDING AND GROUNDS, MS. BOOTH:** Mayor Mayer reported the Village still has the issue with the structure downstairs, and he has not had engineers come and look at the issue recently. Ms. Holody reported Vetter Engineering was here about year ago, or maybe even 2017, and found the center beam dropped 31/2 inches from the side walls. The Engineer stated he needs to have an access hole in the floor to see if the beams are rotting that were set in the

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foundation and one in the ceiling to check the center beam before he writes his report. We pay him by the hour. She asked whether Council wants to have the same gentleman back, since he has knowledge of what needs to be done. Mr. Schneider reported he has received some estimates for a new flag pole. The cost is high, from \$600 to \$800. He stated it would be cheaper to get a lift and install a new pulley. Mr. Schneider advised the Village should proceed to repair the flag pole by installing a new pulley.

**CHAMBER OF COMMERCE, MR. WEIGAND:** Mr. Weigand reported the Chamber met on March 6. The Chamber is moving forward with a public art installation to commemorate the 50<sup>th</sup> Anniversary of when the Cuyahoga River last burned and the subsequent clean-up of the river as part of the 2019 Extinguish Celebration. The Chamber has set up a funding campaign to raise the money necessary for the sculpture, installation, and landscaping. Mr. Weigand reminded everyone that Ramp-Up Peninsula is Saturday, April 27 from 11:00 a.m. to 4:00 p.m. in downtown Peninsula. The next Chamber Meeting is scheduled for April 3, 2019 at Peninsula Library.

**POLICIES AND PROCEDURES, MR. KAPLAN:** Mr. Kaplan presented a draft of proposed Rules of Council. Topics of discussion were as follows.

Meetings. Mr. Kaplan noted that the ORC states "No business shall be conducted at any meeting of the Village Council at which there is not a quorum of at least four Members of Council present. In the absence of a quorum, the Members present may, by majority vote, recess and cause the Clerk of Council to produce the attendance of absent Members."

Organizational Meeting. Mr. Kaplan noted that the ORC states: "The Mayor shall deliver, orally or in writing, a statement of the condition of the Village, along with a statement of any goals or plans for the year then beginning."

Conflicts of Interest. Mr. Kaplan noted that: "Any Member of Council may raise the question as to whether a Member has a Conflict of Interest, by raising a Point of Order during or prior to debate or vote on any matter. In such case, the Solicitor shall offer an Opinion as to whether the Member should recuse from the debate and from the vote. Notwithstanding the opinion of the Solicitor, the Village Council may, by majority vote, determine that a member has an actionable Conflict of Interest and therefore that the Member shall not participate in the debate nor vote on the matter being considered."

Order of Business. Mr. Kaplan noted Citizen Participation shall be allowed to any person in attendance and shall be granted three minutes to address Council, and for purposes of maintaining a proper Record of Proceedings, each speaker shall first identify herself/himself by name and residence or business address, along with any business or organization affiliation. In respect to the speaker, the others in attendance, and for the Agenda of Council for the meeting, there shall be no response from the Council during or immediately following the speaker's presentation.

Mayor's Authority. Mr. Kaplan noted: The Mayor shall have no vote and shall not be permitted to cast the determining vote when the question before Council on a Nomination made by the Mayor, or when the Council has been asked to otherwise concur in an action taken (or proposed to be taken) by the Mayor.

Mr. Kaplan recommends each Councilmember review the proposed Rules of Council and make suggestions to fine tune them for future use. Mr. Kaplan stated his intention is to have the Rules of Council adopted, and then we can go back and put them in order. Ms. Holody asked if we could have a time limitation on debate, giving each Councilperson a set time to make a comment about a subject matter. Mr. Kaplan noted that his hope for the future is that

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the Mayor does his/her job and not Councils job and Council does their job and not the Mayor's job. In that case, we could have a Council meeting that lasts an hour and half. (See attachment)

**FIRE BOARD, MR. SCHNEIDER:** Mr. Schneider reported the Valley Fire District sent firefighters for advance training in Columbus for a weekend and to Indianapolis for a week.

**CEMETERY BOARD, MR SCHNEIDER:** Mr. Schneider reported an employee who was taking care of cemeteries recently resigned.

**JEDD, MR. SCHNEIDER:** No report.

**OLD BUSINESS:**

**Players Barn Insurance Quote:** The cost to insure the building on a replacement cost basis would be \$647 annually and \$250 on an Actual Cash Value Basis. A discussion took place about on liability and ACV. Mr. Kaplan stated he would like to see the terms of the quote along with the declaration page.

**Clean-Up of Scrap in the Area of the Maintenance Yard:** Ms. Holody requested that the pile of scrap in the middle of maintenance yard be cleaned up. A discussion took place about tearing down the service building and removing the debris and whether the work should be done in house or hired out. Selective Insurance will be contacted to see if the Village can do the work since the neighbors are complaining and we have received the claim payment. The vehicles are insured under a different policy and that claim has not been adjudicated.

**Placement of Cones to Protect Sandstone in Service Yard:** That work has been completed.

**NEW BUSINESS:** Mr. Kaplan requested that his affidavit that he turned in on March 18 be included in the official record of this meeting. A discussion took place between Mr. Kaplan and Ms. Holody on the intent, validity, and purpose of affidavit, during which Ms. Holody called Mr. Kaplan a liar, and Mr. Kaplan reminded Ms. Holody that the affidavit was signed under oath. Mr. Kaplan further stated the affidavit reflects the true facts as learned by him, and that the Affidavit was provided to the Council for whatever purpose may arise.

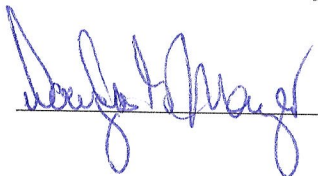
Mr. Kaplan requested that a Bates Stamp numbering system be used to number the pages in the Council Meeting packets for easy reference when referring to a subject matter.

**ADJOURNMENT:** A motion to adjourn was made by Mr. Kaplan and seconded by Mr. Schneider. All were in favor of the motion; none were opposed. The meeting was adjourned at 10:44 p.m.

Respectfully submitted:

Douglas G. Mayer, Mayor

Date



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5-20-19

Deborah Wordell, Fiscal Officer



05/20/19

## AFFIDAVIT

Now comes Michael J. Kaplan. and being first duly sworn, deposes and says:

1. On the morning of February 14, 2019, affiant received information that Senator Kristina Roegner had been asked to attend a meeting in the Village.
2. On February 15, 2019, affiant placed a phone call to the offices of Senator Roegner, and spoke to "Ryan" who introduced himself as being on Senator Roegner's staff.
3. Affiant asked "Ryan" if Senator Roegner was scheduled to come to any meetings in Peninsula Village in the near future and was told by him that Senator Roegner was scheduled 'to meet with the City (sic) Council to discuss their wastewater project' at a meeting scheduled for February 22, 2019 at the Village Library.
4. 'Ryan' then corrected himself and stated that Senator Roegner was to 'meet with Village Council to discuss their wastewater project.'
5. 'Ryan' further told affiant that the meeting had been rescheduled and moved to accommodate the 'Historical Society' since it wished to attend the meeting with Senator Roegner and the Village Council.
6. Affiant asked 'Ryan' if he had anything in his notes on who had requested or arranged the meeting. 'Ryan' stated that the only name he had in his papers, and therefore the only person who had arranged the meeting for the Village was 'D Holody.'

FURTHER AFFIANT SAITH NAUGHT

  
Michael J. Kaplan

Sworn to and subscribed in my presence, this 19 day of February,  
2019.

Tracey M. Smith

Notary Public

My commission does not expires 7/11/2023



TRACEY M. SMITH, NOTARY PUBLIC

Residence - Summit County

State Wide Jurisdiction, Ohio

Expiration Date July 11, 2023